



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/053,047	11/09/2001	Michael J. Whalen	032167.001

Kimberly A. Chasteen
Williams Mullen Clark & Dobbins
Suite 210
One Old Oyster Point Road
Newport News, VA 23692



CONFIRMATION NO. 1649

FORMALITIES LETTER



OC00000007670794

Date Mailed: 03/19/2002

NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Page(s) 5,6, and 7 of the specification (description and claims).

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

20060319 21055007

Hayes

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

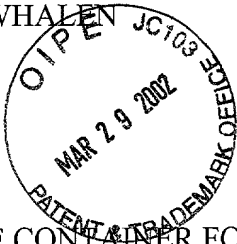
	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100
1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100	

L #3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
APPLICATION FOR PATENT ISSUANCE

First Applicant: Michael J. WHALEN
Application No.: 10/053,047
Filing Date: 11/09/2001
Title: PORTABLE CONTAINER FOR PAINT, ROLLER AND BRUSH

Attorney Docket No.: 032167.0001



Commissioner for Patents
U.S. Patent and Trademark Office
Attn.: Initial Patent Examination Division
Washington, D.C. 20231

Response to Notice of Omitted Item(s) in a Nonprovisional Application

Sir:

As authorized agent of the above referenced applicant and in response to the Notice of Omitted Item(s) in a Nonprovisional Application dated March 19, 2002, I hereby state the following:

Applicant respectfully submits that the items noted in the Notice of Omitted Item(s), namely, Pages 5, 6, and 7 of the specification, were timely and accurately submitted with the November 9, 2001 utility application. Applicant submits herewith a complete copy of the Specification as originally filed, including pages 5, 6, and 7, along with the requisite Petition Fee of \$130.00, to be debited from our Deposit Account No. 50-0766. Please note that the enclosed copy was made immediately prior to placing the application in the Express Mail envelope for mailing as this is our standard procedure. Further, please note that the Utility Patent Application Transmittal form accompanying the application indicates 19 pages of specification were included. This is only possible if pages, 5, 6, and 7 were included.

20050304 140500T

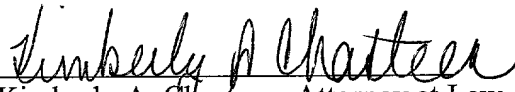
Serial No.: 10/053,047

Atty. Docket No.: 032167.0001

Applicant believes with the submission of the above-captioned item, and in consideration of this response, compliance has been met and the petition fee in this matter should be refunded.

Respectfully submitted,

WILLIAMS MULLEN


Kimberly A. Chasteen, Attorney at Law
Reg. No. 36,755

Date: 29 Mar 2002

Williams Mullen
One Old Oyster Point Road, Suite 210
Newport News, VA 23606
757.249.7102
339060

2002 MAR 29 10:53 AM